

**EQUALITY AND EQUALIZATION**

Brief by  
the Canadian Advisory Council  
on the Status of Women  
to the  
Parliamentary Task Force on Federal Provincial  
Fiscal Arrangements

June 29, 1981



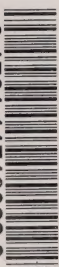
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on the Status of Women**

Box 1541 Station B. Ottawa K1P 5R5

**Conseil consultatif canadien  
de la situation de la femme**

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## EQUALITY AND EQUALIZATION

The active participation of women in public affairs is a primary goal of the Canadian Advisory Council on the Status of Women and women's groups and organizations across Canada. It is a goal for which we seek the continuing support of members of institutions like the House of Commons. It is not a passing fashion to be acknowledged on a selective basis on particular issues. Women constitute half the population of the country, a fact of some importance, we would think, to elected officials.

As you know, women played a significant role in the recent Parliamentary deliberations on the entrenchment of a Charter of Rights and Freedoms in the Canadian constitution. Through the efforts of the Canadian Advisory Council and women's groups, we were able to convince the Committee, the Government and Parliament - which, you will agree, was no mean feat - that changes in the wording of the provisions of the Bill, in particular articles 1, 3, 15, 24, 26 and 29, were necessary to protect the rights and freedoms of women. That was an important first step but only the beginning of our intended participation on matters respecting constitutional reform and intergovernmental relations.

On May 29 and 30, 1981, the Canadian Advisory Council sponsored a conference on "Women and the Constitution - The Next Five Years". There were 800

registrants for the Conference, most of whom were women. Matters ranging from the Charter of Rights and Freedoms to family law to the division of powers relating to social services were discussed. Many of the issues addressed in this brief were raised in the panel discussions at that Conference. The keen interest in federal-provincial fiscal relations demonstrated at that Conference is one reason why we are presenting this brief.

The Canadian Advisory Council welcomes the initiative taken in establishing this Task Force. Discussion of the subject of federal-provincial fiscal arrangements is critical to many areas of women's concerns.

And yet there is no question that federal-provincial financial relations has been treated as a highly technical subject discussed and negotiated behind closed doors. Like the constitutional renewal process, it has been dominated for most of its history by a "club of eleven" governments. There has been no systematic parliamentary or legislative reviews or wider public debate of the agreements reached.

Now that attitude seems to have changed. In his opening remarks to you on April 23, 1981, the Minister of Finance, Mr. MacEachen indicated the importance of Canadians being well informed about fiscal arrangements. He also indicated that the nature and basic purposes of the fiscal arrangements were



quite easy to understand and that it was undesirable for the public to be uninterested. There should be public discussion. A sampling of public opinion is important to see how much support the government has for decisions taken behind closed doors.

But what was the first thing we discovered about your proceedings? The Canadian Advisory Council was not included among your list of invitees. In fact, the initial list of invited groups published in your proceedings contained only one organization presumed to be a "women's group" - the Canadian Nursing Association.

May I suggest to you that the views of groups like the Canadian Manufacturers Association and the Canadian Chamber of Commerce are well known. If this Task Force is interested in developing new approaches to fiscal federalism it must ask and encourage new voices.

Even one of your colleagues in Parliament, M. Serge Joyal, Co-president of the Joint Parliamentary Committee on the Constitution, was struck by the absence of women's groups in your deliberations. As he stated to us at the Conference on Women and the Constitution: "Après information prise auprès du greffier du comité, il semble que seulement trois groupes représentant des intérêts féminins aient fait parvenir des mémoires, soit le National Council of Women of Canada, le Saskatchewan Nursing Assistant

Association, et le Canadian Nurses Association."<sup>1</sup> He urged us to make sure other women's voices were heard. So, too, did registrants at the conference, a group derived from all provinces and territories of Canada.

As you know, the National Action Committee on the Status of Women has protested the unrealistic time frame set by the Task Force to prepare a formal brief. So too has the New Brunswick Advisory Council on the Status of Women. If you intend to have a serious process of public participation, it has been a poor way to start.

It is barely five months since the federal Government revised its proposed Charter of Rights and Freedoms to strengthen the clauses respecting equality for women. And yet the Canadian Advisory Council had to remind members of this Task Force of the importance of involving women formally in these discussions.

Women have a wealth of valuable information and experience with government programs in this area of intergovernmental relations that would be of assistance to decision-makers. Governments at all levels should be soliciting systematically the view of women's groups across the country. And women's groups should be

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1 Discours prononcé par Me Serge Joyal, Député de Hochelaga-Maisonneuve et Secrétaire parlementaire du Président du Conseil du Trésor lors de la Conférence nationale du Conseil consultatif canadien de la situation de la femme, May 29, 1981, mimeo, p. 10.

demanding to be heard. To assist in future deliberations, a list of women's groups and organizations in Canada has been appended to this brief.

#### PRIORITIES OF WOMEN AND GOVERNMENTS

Federal-provincial financial arrangements lie at the heart of political relations between governments, as well as being a major influence on the economic and social well-being of Canadians.

As taxpayers and consumers of public and private goods, women are vitally affected by the nature of the financial arrangements between governments and their intended and unintended consequences.

It was therefore with concern that we examined the terms of reference and guidelines given to this Task Force. As the Order of Reference stated:

That the Committee examine the programs authorized by the Federal-Provincial Fiscal Arrangements and Established Programs Financing Act, 1977, focussing in particular on fiscal equalization, the tax collection agreements, the Canada Assistance Plan and Established Programs Financing, and that this examination take place within the context of the government's expenditure plan as set out in the October 28, 1980 budget.

As the Minister of Finance explained before the Task Force in April, the Government seems to be



looking for savings in the social affairs envelope. These savings would be made in respect of transfer payments to provinces in order to help reduce the Government's deficit. The amount given was in the order of \$1.5 billion over the fiscal years 1982-83 and 1983-84.<sup>2</sup>

That this is his intent was acknowledged by the following statements:

The judgment was at the time of the budget that significant savings would have to be achieved in transfer payments to provincial governments which are part of the social affairs envelope, if we are to implement our over-all strategy, particularly with regard to deficit reduction and the shift of our spending priorities towards economic development. I am still very much of that view. The recent aggravation in inflationary pressures has made it even more important that we achieve our stated objective in that regard.<sup>3</sup>

It seems that strong arguments must be made to re-establish social programs as a federal spending priority.

Women are a large consumer group in respect of social services such as medical care, extended

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2 Hon. Allan J. MacEachen, Deputy Prime Minister and Minister of Finance, "Federal-Provincial Fiscal Arrangements in the Eighties", a submission to the Parliamentary Task Force on the Federal-Provincial Fiscal Arrangements, April 23, 1981, p. 19.

3 Ibid., pp. 18-19.

health care services, social assistance, old-age assistance, day care and so on. As outlined below, their ability to make other contributions to society may be, in large measure, a direct function of the support these programs provide.

The effective co-ordination and harmonization of federal, provincial and municipal activities in the area of social services is required. And it follows that financial support and political commitment to social programs at all levels of government is necessary.

It is one thing for a federal or provincial politician to pay lip service to the need for adequate social services. It is another to have the political rhetoric translated into firm budget decisions.

Women recognize the importance of economic development as a priority of government spending. Improving women's economic status is directly linked to the creation of economic opportunities and incentives for them to participate not only in the labour force but also in those sectors of the labour force (and salary levels) in which women have not been well represented in the past. Yet, improving women's economic status through these means makes essential the extension of quality child care services - and child care services are considered "social" - not economic - services.

At the same time, there are large numbers of women who need social assistance and support to survive, let alone improve their status and establish a stable economic position in society. In some cases, women may have a greater need for this assistance than men: one need only be reminded that three out of every five adults whose incomes are below the poverty line in this country are women. The majority of women are vulnerable to becoming poor.<sup>4</sup>

Thus, our starting point is the recognition of the equal status of women. Parliament and the government have already recognized this equal status, in principle. We must now move to give the principle full substance. The federal government asked this Task Force to consider "new approaches" to the subject of federal-provincial fiscal arrangements.

THE CANADIAN ADVISORY COUNCIL WOULD LIKE TO URGE THAT A PRIMARY NEW APPROACH TO FEDERAL-PROVINCIAL FISCAL ARRANGEMENTS BE ONE THAT INCORPORATES ASSUMPTIONS BASED ON PRINCIPLES OF SEXUAL EQUALITY. These principles can no longer be ignored in the activities of governments.

At the same time, the particular economic and social impact of social programs on women must be recognized. Social programs must become a priority of

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<sup>4</sup> Louise Dulude, "Women, Poverty and the Constitution", in Women and the Constitution, p. 165.



government spending whether at the provincial or federal levels. This is an argument women must make - and will make - as many times as necessary to as many governments as necessary.

There is a great deal at stake. Total federal cash payments to provincial governments for Established Programs Financing amount to \$6.4 billion for 1981-82; federal cash payments under the Canada Assistance Plan amount to nearly \$2 billion. Total federal cash (plus tax) transfers amount to nearly \$19 billion, for 1981-82.<sup>5</sup>

There is a large role to be played by women's organizations in ensuring that social program spending is not reduced. And it is reasonable to expect that considerable pressure will be brought to bear on the issue by women's organizations across the country at all levels of government.

Women have the most to lose if reductions in social program spending are effected. And the current federal position is too ambiguous to give us much comfort.

We are told that the current intergovernmental fiscal structure is highly decentralized and the fiscal position of the federal government vis-à-vis

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5 "Federal-Provincial Fiscal Arrangements in the Eighties", Table II-2, p. 32.

several of the provinces is too weak. And yet the federal government has decreased its involvement and control over fiscal transfers in the case of the Established Programs and has let the provinces make all the decisions respecting these expenditures.

It has done so, we are told, in an effort to restrain government spending in the social development field at the federal level. It was also intended that the provinces would be encouraged to restrain spending in those areas.<sup>6</sup>

Furthermore, the federal government has indicated its intent to shift its spending priority towards economic development. What guarantee is there that provincial governments, which are also faced with rising costs and limited resources, will ensure that social programs are a main priority of provincial government spending? And what about those provinces that have a limited capacity to provide services in the first instance?

#### EQUALIZATION

Among the key revenue sources which are currently identified under Section 4(2) of the Fiscal Arrangements Act are personal and corporate income

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<sup>6</sup> See Statement of the Prime Minister to the Federal-Provincial Conference of First Ministers, December 13, 1976.

taxes, sales taxes and taxes on consumption goods as well as certain resource revenues. Women contribute significantly to general government revenues as payers of personal income and other consumption taxes as well as being consumers of public goods.

For its part, the federal Department of Finance has argued that the purpose of the existing fiscal equalization program is to enable provinces to provide their citizens with a "reasonably comparable level of basic services without resorting to unduly burdensome levels of taxation."<sup>7</sup> This statement of purpose is reflected more or less verbatim in Section 34(2) of the proposed Charter of Rights and Freedoms. The emphasis is placed on reasonably comparable levels of public services and reasonably comparable levels of taxation.

The equalization of public services is not to be confused, we are told, with any principle of redistribution of wealth. But it is clear that, to some extent at least, there is a redistribution of wealth on both a government to government and individual to individual basis.

However, the revenue base which is used to derive the formula for fiscal equalization payments raises some interesting questions about the philosophy underlying the equalization provisions in the Act.

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7 "Federal-Provincial Fiscal Arrangements in the Eighties", p. 61.



The formula for equalization payments is derived from the revenue yields of provincial taxes rather than the level of provincial services. In effect, "reasonably comparable levels of public services" are defined as the national average revenues on a per capita basis. Thus, provinces with revenue yields above the national average with respect to the tax sources and which do not receive equalization payments are presumed to be maintaining reasonably comparable levels of services.

But how do we know that, if we do not know what level of services are being offered? Such information is not available to the federal government.

Moreover, we are told that even a consideration of levels of expenditures on services by provincial governments may be misleading. Levels of provincial expenditures can not be taken as indices of quality, level or cost of services. And costs of services vary from one region of the country to another.

The basis on which transfer payments are derived seems to take little account of the diversity of social problems and the varying costs of services among provinces.

As the Hall Report on "Canada's National-Provincial Health Program for the 1980's" pointed out

in respect to provincial expenditures on health services covered by the Establish Programs Financing:

The average Provincial expenditures of all Provinces represents 5.4 per cent of their combined Gross Domestic Product. But the proportion required in each Province varies dramatically or drastically depending on one's point of view from 3.9 per cent of GDP in Alberta to 9.4 per cent in Prince Edward Island and 8.9 per cent in Newfoundland. The two largest provinces, Ontario and Quebec spend 4.8 per cent and 6.5 per cent respectively...

But while these data tell us something of the relative proportion of Provincial resources expended on publicly financed health services, they do not, of course, suggest that even if the proportions were equal, they would be providing equal program benefits.<sup>8</sup>

The federal officials' explanation for basing the equalization formula on revenues rather than level of services rests on essentially two arguments. First, they argue that it is difficult to quantify differences between provinces in the cost of providing public services or in the need for such services. Secondly, it is pointed out that equalization payments have always been based on a comparison of the per capita productivity or yield of provincial tax bases. And, "there appears to be general agreement that, on an

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8 "Canada's National-Provincial Health Program for the 1980's", Ottawa, 1980, p. 12.

overall basis, these costs and needs are likely to be relatively uniform per capita."<sup>9</sup>

Given the diversity of economic and demographic circumstances, it is difficult to be convinced that this would be so. Surely some consideration could be given to examining the level of services provided and the impact that equalization payments have at the provincial level in equalizing individual access to public and private goods. To define level of services in terms of per capita revenue yields or level of expenditures may be missing the point.

Women's organizations at the provincial level may want to consider what impact equalization payments have in their province in establishing and/or maintaining levels of services available to them.

#### ESTABLISHED PROGRAMS FINANCING

The introduction of block-funding with respect to programs covered in Part VI of the 1977 Fiscal Arrangements Act caused concern for women. The three programs under these arrangements include: hospital insurance; medicare and post-secondary education.

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9 Department of Finance, "Program Responsibilities of the Federal-Provincial Relations Division", mimeo, January, 1981, p. 4.



At the time, the arguments that these programs were considered "well-established" and that it would be politically desirable and administratively easier for provinces to control funds allocated to them did not provide more than passing acknowledgement that national standards would be maintained.

National standards are guaranteed only to the extent that the authority and conditions for the hospital insurance and medicare cash payments are still found in the Hospital Insurance and Diagnostic Services Act and the Medicare Act. The money available as a result of tax room transferred to the provinces becomes another form of equalization payment with no strings attached.

The major concern of women has been that money provided by the federal government on this block-funding basis may be used by provincial governments for some purpose other than the services covered by these programs.

For example, in pursuing economic and employment objectives, a government could decide to build highways to employ people rather than provide more medical or extended health care services. Secondly, these funds are included in the total provincial budget base and departments responsible for health care and medical services, for example, have to compete for them in the context of the total provincial government program activities.

Moreover, provinces wishing to expand their services in these areas in the next few years would be penalized as block-funding would not vary by level of service provided.

As the Hall Commission on Health Services noted, certain provinces have lost any ability to expand their level of services in the future as a result of the impact of block-funding in the health services area. Even trying to maintain existing levels of service may be difficult. The Hall Commission recommended further cost-sharing funding to have-not provinces for "additional insured services that these Provinces wish to institute."<sup>10</sup>

That is not to say that block-funding did not address problems that had plagued shared cost arrangements for these programs in the past. By loosening federal control, the provinces have been given the opportunity to develop services more attuned to local needs of citizens and/or in line with provincial budgetary priorities.

The jurisdictional sensitivities of some provinces relating to these programs are also matters in which some provincial women's organizations have taken a strong interest. The Canadian Advisory Council respects these views but believes that in no case can the issue of adequate national standards be ignored.

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<sup>10</sup> "Canada's National-Provincial Health Program for the 1980's", p. 13.

If cost sharing is not to be reinstituted in respect of these programs, then some means or mechanism for maintaining national standards is necessary.

The ambivalence of the federal position is highlighted once again. The federal Government has expressed concern about a weakened federal fiscal position and a weakened Canadian economic union.

It is opposed to checkerboard federalism in respect of revenue-sharing. But are we not witnessing the development of a checkerboard system of social services?

And these are the areas where women, as consumers of public goods, have the most to lose. It is unacceptable for the federal Government to attempt to effect savings in transfer payments for programs under the Established Programs Financing provisions of the Act. That would surely mean inequities in the level of services provided. As efforts to cut back expenditures are undertaken by government, levels of services are jeopardized. This problem is particularly acute in the age of rising costs of services. Given the basis by which "reasonably comparable standards of services" are defined by government, an examination should be made of what impact such transfer payments have on the condition of women.

## CANADA ASSISTANCE PLAN

The financing of the Canada Assistance Plan was kept from, and should remain separate from, block-funding arrangements provided for Established Programs in 1977. Nevertheless, there is a very sad tale of what might have been in respect of the C.A.P. program. We would ask members to recall the Social Services Act of 1977 which was introduced in June of that year and which died on the order paper.

The Social Services Act contained a philosophy and a set of proposals which might have had a far-reaching effect on providing, developing, extending and improving social services in Canada.

A main feature of the Bill was the separation of social services from financial assistance. It was finally being acknowledged, in that Bill, that social services could extend beyond the prevention and elimination of poverty and its effects.

In particular, the Bill would have provided for increased financial assistance in three areas of particular concern to women. Aid to day care, family planning and women's centres would have been especially benefited. In fact, the passage of this Bill would have gone a long way to implementing the recommendations of the Royal Commission on the Status of Women. (See Report of the Royal Commission on the



Status of Women, 1970, recommendations 115 to 123.)

At the same time, successful implementation of the proposed legislative changes would have been the responsibility of the provincial governments. They would have had to take the initiative in introducing the social services proposed or to change existing services to avail themselves of federal contributions. The role of provincial Councils on the Status of Women and of women's organizations would have been of critical importance. The Bill held out significant possibilities to assist women but was "lost" because of a federal-provincial conflict over financial arrangements and division of powers.

Since his appearance before this Task Force, the Minister of Finance in Ottawa has stated (June 6, 1981) that social programs such as pensions will not be subject to budget cuts. We can only emphasize that, if the provisions of the Canada Assistance Plan are not going to be expanded substantially (although we think there are good arguments that they should be) there should be no cutbacks on existing provisions and that a cost-shared formula should remain the basis of revenue transfers. For example, the submission of the New Brunswick Advisory Council on the Status of Women provides an excellent assessment of the importance of C.A.P. and the need not just to continue but also to expand the program.

Block-funding of the Canada Assistance Plan

program would cause hardship to too many women who are part of the disadvantaged majority. In fact, an opportunity should be provided to improve the quality of service within these financial limits. Women would be more than ready to make their contribution for reform.

#### THE PROCESS OF FISCAL FEDERALISM

It was mentioned earlier that the establishment of this Task Force marks an important departure from the traditional processes of renegotiating the Fiscal Arrangements Act. Money is the base of power and allocating public funds is at the heart of much political activity. While we have focussed in this brief on the need for social programs to be a priority for government spending and on the importance of maintaining national standards in social service areas, we are aware of the broader significance of this review process in generating public awareness and in mobilizing public support for government decisions which lie ahead and further stages of federal-provincial bargaining in respect of division of powers in the constitution.

We are also aware of the underlying issues in this debate as they pertain to the future form of federalism in Canada. Some means for establishing an equitable code of conduct in the financing of social services must be found in theory and in fact.

If governments are seriously looking for new approaches to the problems in this and other areas, we suggest that they make serious and concerted efforts to ask the women of Canada to define the problems and to seek the solutions.

And in this process, it would be of benefit to women as well as governments to provide greater visibility to the respective governmental participation in these programs. In order to find a new intergovernmental balance, it would seem a necessary condition that we know which government is providing what money and in what way.





## SUMMARY

The Canadian Advisory Council on the Status of Women urges:

1. that a new approach to federal-provincial fiscal arrangements be one that incorporates assumptions based on principles of sexual equality while recognizing the particular economic and social impact of programs under this legislation on women;
2. that social service programs become a spending priority of governments, federal and provincial;
3. that consideration be given to examining the level of services provided by provincial governments in calculating equalization transfer payments generally and in respect of established programs transfer payments;
4. that efforts be taken to identify, establish and maintain adequate national standards in respect of levels of services provided by provincial governments which take into account the specific needs of women;
5. that the cost-sharing funding basis of the Canada Assistance Plan not be changed and consideration be given to the extension of services;

6. that women's organizations be involved in a systematic and continuous basis in the current and future discussions on federal provincial fiscal arrangements; and,
7. that governments identify, for the general public, which government is providing what money, and in what way, in respect of all shared cost programs, in order to foster public awareness of federal-provincial fiscal relations.

APPENDIX

Canadian Association of Sexual Assault Centres  
c/o 4 - 45 Kingsway  
Vancouver, British Columbia  
V5T 3H7  
Tel. (604) 872-8212

Canadian Congress for Learning Opportunities  
for Women (CCLOW)  
29 Prince Arthur Avenue  
Toronto, Ontario  
M5R 1B2  
Tel. (416) 964-0563

Canadian Federation of Business and Professional  
Women's Clubs  
Room 115, 56 Sparks Street  
Ottawa, Ontario  
K1P 5A9  
Tel. (613) 234-7619

Canadian Federation of University Women  
University of Montreal  
P.O. Box 6128, Station A  
Montreal, Quebec  
H3C 3J7  
President: Eileen Clark

Canadian Research Institute for the  
Advancement of Women  
151 Slater Street, Ste. 415  
Ottawa, Ontario  
K1P 5H3  
Tel. (613) 563-3576

Canadian Teachers Federation  
c/o Sylvia Gold  
110 Argyle Avenue  
Ottawa, Ontario  
K2P 1B4  
Tel. (613) 232-1505

Catholic Women's League of Canada  
2375A Ness Avenue  
Winnipeg, Manitoba  
R2J 1A5  
Tel. (204) 885-4856

Elizabeth Fry Society  
195-A Bank Street  
Ottawa, Ontario  
K2P 1W7  
Tel. (613) 238-1171

Federated Women's Institutes of Canada  
46 Elgin Street, Ste. 28  
Ottawa, Ontario  
K1P 5K6  
Tel. (613) 243-1090

Federation of Junior Leagues of Canada  
10523 Waretta Crescent South East  
Calgary, Alberta  
T2T 1J5  
Tel. (403) 278-4829

Feminist Party of Canada  
Box 5717, Station A  
Toronto, Ontario  
Tel. (416) 960-3427

Girl Guides of Canada  
50 Merton Street  
Toronto, Ontario  
M4S 1A3  
Tel. (416) 487-5281

Indian Rights for Indian Women  
National Committee  
10831 - 130th Street  
Edmonton, Alberta  
T5M 0Z2

MATCH - International Centre  
171 Nepean Street, Suite 401  
Ottawa, Ontario  
K2P 0B4  
Tel. (613) 238-1312



National Action Committee on the Status of Women  
40 St. Clair Avenue East, Suite 300  
Toronto, Ontario  
M4T 1M9  
Tel. (416) 922-3246

National Association of Women and the Law  
P.O. Box 197, Station B  
Ottawa, Ontario  
K1P 6C4

National Council of Jewish Women  
1111 Finch Avenue West, Suite 401  
Downsview, Ontario  
M3J 2E5

National Council of Women of Canada  
270 MacLaren Street, Suite 20  
Ottawa, Ontario  
K2P 0M3  
Tel. (613) 233-4953

National Farmers' Union  
Women's Section  
250C - 2nd Avenue South  
Saskatoon, Saskatchewan  
Tel. (306) 652-9465

National Secretaries Association  
(International), Canada District  
1816 Applegrove Court  
Ottawa, Ontario  
K1J 6S5

Native Women's Association of Canada  
151 Bay Street, Suite 806  
Ottawa, Ontario  
Tel. (613) 236-6057

Participation of Women Committee  
New Democratic Party  
301 Metcalfe Street  
Ottawa, Ontario  
K2P 1R9  
Tel. (613) 236-3613

Progressive Conservative Women's  
Association of Canada  
178 Queen Street  
Ottawa, Ontario  
K1P 5E1  
Tel. (613) 238-6111

Women's Liberal Commission  
Liberal Party of Canada  
102 Bank Street  
Ottawa, Ontario  
K1P 5N4  
Tel. (613) 237-0740

Women's Research Centre  
2515 Burrard Street, Suite 301  
Vancouver, British Columbia  
V6J 3J6  
Tel. (604) 734-0485

YWCA of Canada  
571 Jarvis Street  
Toronto, Ontario  
M4Y 2J1  
Tel. (416) 921-2117

YWCA Women's Resource Centre  
571 Jarvis Street  
Toronto, Ontario  
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Tel. (416) 921-2117





